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WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 03-50033-04

versus

JUDGE WALTER

NICHOLAS B. GENTRY

MAGISTRATE JUDGE HORNSBY

ORDER

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, no written objections having been filed, and concurring with the findings of the Magistrate Judge under the applicable law;

IT IS ORDERED that Defendant Nicholas Gentry's **Motion to Vacate (Doc. 252; amended at Doc. 288)** is **granted** as follows: Gentry is granted a new sentencing hearing, which will be held on THURSDAY, MAY 11, 2006 at 10:30 A.m. in courtroom ¹⁰¹2 at the United States Court House in Shreveport. The U.S. Probation Office is directed to prepare an updated presentence report. The claim for relief based on counsel's lack of consultation regarding an appeal is denied as moot in light of the relief granted.

THUS DONE AND SIGNED at Shreveport, Louisiana, this 20 day of April
2006.


DONALD E. WALTER
UNITED STATES DISTRICT JUDGE

cc: USPO; USM